

# Law school, legal education, lawyers, personality?

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## Success story

Successful legal practitioners need more than just legal knowledge. They must have well-developed and capable personalities able to deal with individual clients, cases and colleagues. However, today's law schools ignore the latter aspect, leaving graduates without the interpersonal and character traits they need to be ultimately successful.

To be successful in any field of employment today, it is vital not only to understand what is required by the industry of its professionals, but to ensure that prospective workers are provided with enough information, training and support to meet these standards. This is especially so in the legal industry, as employers and clients continually raise their expectations, not only in terms of knowledge

and expertise, but in personal ability, charisma and interpersonal skills. The question then becomes whether today's law schools adequately prepare prospective legal professionals in these latter abilities.

## The "X factor"

To properly discuss this issue, we must identify exactly what today's employers and clients are looking for when hiring graduates or legal representatives. Academically, honours, awards, work experience and extra-curricular involvement have come to be expected of law graduates, regardless of whether they wish to work in small, medium or large firms. But, over and beyond intellectual knowledge, employers and clients now also seek lawyers with personality – commanding, engaging, confident and able



to interact with a spectrum of different clientele, colleagues and associated professionals such as barristers, experts and law enforcement agencies. Perhaps an appropriate label for these skills is the "X factor".

While stereotypically, lawyers are often seen as somewhat "nerdy", conjuring pictures of highly intelligent bookworms able to recite tracts of legislation or cases, the day of the "nerdy" lawyer is past. Personality has become the foundation or basic ingredient needed for the successful legal practitioner. It determines interaction with clients, colleagues and superiors, ultimately leading to profitable and essential professional and social networks, a stable clientele base, marketability and the power to demand and control advancement or progression of a practitioner's legal career. The relationships thus cultivated, be they social, professional or otherwise, are tools used to draw in clientele, access resources and create the networks essential in supporting a lawyer's practice.

### **Straight from the horse's mouth . . .**

The following statements from clients and professionals in the legal industry reinforce the simple necessity of personality and the "X factor":

From a recruiter's perspective –

Ms Elvira Naiman of Naiman Clark Legal Recruiting:

*"In the past 12 months, I have noticed that firms are no longer looking for technocrats, they want people with personality, marketing and social abilities, as well as the usual academic achievements. The firms are looking for someone who can stand up and be presentable before a client, they are looking for the whole package."*

From an employer and successful solicitor's perspective –

Mr Bernard McMahon, Senior Litigation Partner of Williams Winter Solicitors:

*"To have advanced academic ability is both a gift as well as the sole requisite to gain admission to law school. The problem is that, to be a successful surviving lawyer, academic giftedness is not the only requisite skill, but one only of the skills required. I have observed lawyers who had endured miserable professional lives, and too often they are among the more gifted academically. Until law schools are able to establish what skills are necessary, and then broaden their selection criteria accordingly, this simmering tension will persist."*

From a (professional) client's perspective –

Mr James Morrison, former Director the Noel Jones Property Group:

*"The days of purely transactional lawyers are over. We expect our lawyers [i.e. those retained by the business] not only to facilitate a sale, but also to predict and advise on future potential problems, and to be able to think laterally and creatively and to have the ability to problem solve on the run. Our clients' impression of our lawyers reflects directly on our agency."*

### **Achieving the "X factor"**

Some may say that it is impossible to cultivate a personality and characteristics such as those described above, and that some individuals are simply not "people persons" or that their cultural backgrounds, upbringings and life experiences preclude them from developing such skills.

However, this is not necessarily the case, as the "X factor" can be developed, often simply by breaking it down into

its individual components and being trained in those skills. For example, the "X factor" includes abilities such as:

- being able to see not only the "big picture", but the minute details of each case;
- flexibility and adaptability in approaching different clients, co-workers, employers and friends/acquaintances, each according to their individual nature and requirements;
- thinking outside the square rather than being bound by convention or habit;
- being articulate and presentable both verbally and in written communication;
- a respectful and modest attitude, while being able to command attention and take control in appropriate circumstances;
- self-confidence, sincerity and honesty.

Doubtlessly, it is self-evident to any successful legal practitioner today that the above skills are absolutely essential, and that many are simply a product of practice and experience. As such, the sooner this practice and experience is begun, the more prepared a law graduate will be to participate effectively and capably in the realities that is the legal industry.

### **Do our law schools meet the mark?**

Of course, each law school approaches its students differently, and seeks to inspire and develop different traits in its graduates. However, examining two of the most reputable law schools in Victoria with the highest nationwide employment rates, provides some insight into whether the abovementioned "X factor" is being adequately addressed.

#### **School No. 1**

An internationally recognised law faculty offering a wide array of courses from *Donahue v Stevenson* to *Issues of Law in Asia*. Some of its other services include:

- an internal career advisory service;
- work experience programs (open to second-year law students and above);
- faculty arranged study groups;
- extra-curricular competitions including client interview/examination and mooting;
- an annual career guide (about 146 pages in 2006)

However, while the above offerings provide assistance in useful areas, it is hard to see how they address anything other than the practicalities and mechanics of finding employment. The expansive career advisory service offers tips on how to draft a resume and perform at interviews, or how to be admitted overseas; study groups and competitions encourage academic achievements; work experience and career guides provide starting points for graduates seeking employment. Yet, how does this help a law student to develop any of the crucial "X factor" qualities demanded by employers and clients?

According to a recent graduate, it remains the accepted view of the general student body that good preparation for a legal career simply means attending classes and achieving good grades. Hence, while this law school equips graduates with legal principles, the ability to cite cases and legislation, and the mechanical skills of finding employment, it fails completely in providing guidance on what is required for a graduate to be ultimately successful and advance their career.



## School No. 2

Established for at least 30 years, this law school also provides services similar to the first university. However, it also offers its students extensive involvement in local community legal services. Students are given the opportunity via both course subjects and "after-hours" extra-curricular participation in local clinics to have hands-on experience in dealing with real people and the legal issues they face in day-to-day life.

Furthermore, students are assisted in developing their own unique approaches to clients, professionals and colleagues, combining legal knowledge and interpersonal interaction skills to solve problems while creating and maintaining a solid social and professional network from a very early stage. Arguably, a law student cannot help but discover and further his or her "X factor" under this environment.

Nevertheless, these subjects and activities are not mandatory, and are only sparsely advertised and promoted within the law student community. This means that many law students have been, and will remain, oblivious to and denied this vital training.

### Improving our law schools

Practical, hands-on legal training is only one of many ways a law school can offer its law students the opportunity to find, develop and nurture their "X factor". It is vital at the outset and during the progression of a student's law degree to address the full requirements to be successful as a legal professional, encompassing the full spectrum from legal knowledge to personality and "people skills".

Universities should diversify from mainly academic-based courses to those creating situations and environments in which students must develop the skills to be flexible and capable in approaching individual clients and cases, to take command of situations, see the details as well as the ultimate goal, and to network with colleagues and professionals of differing industries.

Involvement from the legal community in general is also vital, by increasing participation and interaction with universities regarding the changing needs and expectations of the industry, clients and employers. This should be not only in an advisory capacity, but also through offering work experience or clerkship opportunities, and seminars from successful professionals about the realities of the job and its demands.

Students themselves should be motivated towards developing themselves, even be it through simply obtaining part-time employment in retail or service positions which require them to deal with different varieties of people and situations, while also improving communication skills and self-confidence.

### Last word...

It is essential that Victorian law schools begin to emphasise to law students that becoming a lawyer is more than book-knowledge and research skills. Degree programs must be reworked to include compulsory skills development components, and information and counselling for students should be available from actual practitioners on the emotional and personal preparation needed for a successful legal career. Ultimately, law schools must aim at training legal professionals in their entirety – capable and confident both intellectually and in terms of personality, and it is the responsibility of the legal community as a whole to ensure that this takes place.

# Your profession – your say

FIONA RYAN, BARRISTER,  
VICTORIAN BAR

**A good lawyer/barrister** is able to focus on the main issues of a case quickly, and communicate clearly to a wide range of people from different backgrounds.

**The best thing about working in the law** is the intellectual stimulation, the challenge, and the ability to speak for people who are unable to do so for themselves.

**On the flip side**, there is the stress of being thrown into situations that you are unfamiliar with, and the feeling of responsibility for the outcome of your client's case, which can often have a significant and serious impact on the client's life.

**"Making it"** for me is having a fulfilling and engaging career, while also having a fulfilling and engaging life outside work.

**One of the best ways to market yourself** is to do the work that you have well, and to be prepared and courteous. Otherwise there are many networking opportunities, ranging from writing papers, giving presentations or attending social functions.

**As a barrister, it's essential to market yourself.** A barrister's clerk is often the best person to advise about marketing, and to help you work out what it is you want to achieve.

**Law school did not really prepare me for legal practice.** It seems so far away now. I suppose it helped me to acquire legal research skills, but practice is just so different.

**Outside of working hours I try not to think about work.** I spend time with friends, read and see films.